

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 4:17-CR-131-DMB-JMV-1
	)	
SCOTT E. NELSON	)	
_____	)	

**MOTION TO CONTINUE TRIAL AND PRE TRIAL DEADLINE**

**COME NOW** the Defendant, SCOTT E. NELSON, by and through his undersigned attorney and moves the Court for a continuance of the above-styled and numbered cause, and in support thereof would show as follows:

1. That this matter is currently set for trial on June 7, 2021 before the Honorable Debra M. Brown, United States District Judge for the Northern District of Mississippi.

2. The World Health Organization along with the Centers for Disease Control in prevention have declared a global pandemic related to the spread of the COVID-19 virus. The coronavirus pandemic has resulted in the disruption of all normal business activity including government activities throughout the country and in Mississippi.

3. There is currently a standing order issued by the Northern District of Mississippi entitled In Re: The Novel Coronavirus (COVID-19). Said standing order has been in effect since April 2, 2020 and has been continued on numerous occasions with the fourth extension being entered on March 30, 2021, extending said standing order to exclude in person criminal court proceedings anywhere in the district due to the serious potential of jeopardizing public health and safety. *See* Standing Order 3:21-MC-3.

4. This matter has been scheduled to last approximately six weeks and is going to involve numerous witnesses both local and out of town. In addition, many of these out of town witnesses are going to be forced to stay in hotel rooms for one or more days, further subjecting them to exposure. Additionally, the jury will be in close proximity to one another for several weeks further increasing the rise of infection.

5. In addition to the above, many of the witnesses the Defendant and the government intend to call are not only elderly but also in many instances compromised from a health standpoint.

6. The movant is currently not incarcerated and waives any objection he might have to any violation of his Sixth Amendment right to a speedy trial.

7. Counsel for movant also understands based on conversations with the United States attorneys office that they have no objection to a continuance of this matter should the Court continue this trial to a date where all parties concerned can be assured of a safe and uninterrupted trial of this matter. This motion is filed not for the purpose of a delay but so justice may be served.

Respectfully submitted, this, the 9 day of April, 2020\



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*Attorney for Defendant, Scott E. Nelson*

*Certificate of Service*


I hereby certify that on 9<sup>th</sup> of April, 2020, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Clayton A. Dabbs, Esq.

Robert J. Mims, Esq.

Kimberly Hampton, Esq.

*Assistant United States Attorneys*

  
Philip Mansour, Jr.